

PATENT APPLICATION
Attorney's Docket No. 4164-272

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Keith W. Atkinson and Jeff Fiegel

Serial No. 10/723,375 **Examiner:** Not Yet Assigned
Filed: November 25, 2003 **Group Art Unit:** 2681
For: MOBILE DATA ACCESS

Confirmation No. 8007

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INDEXED

JAN 11 2005

Office of Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**PETITION TO CLAIM BENEFIT UNDER 35 U.S.C. 119(e)
OF PRIOR FILED PROVISIONAL APPLICATION
(37 C.F.R. 1.78(a)(6))**

1. Applicant hereby petitions, in accordance with § 1.78(a)(6), to claim the benefit, for this application under 35 U.S.C. 119(e) of the following prior provisional applications:

Provisional application No. 60/477,664, filed June 10, 2003
Provisional application No. 60/439,084, filed January 8, 2003

2. Applicant recently discovered there was a typographical error in one of the provisional application numbers from which this application claimed priority. As submitted in the oath and preliminary amendment filed with this application, the number appeared as 60/477,644, but it should have been 60/477,664, which appears on the accompanying preliminary amendment and supplemental oath. Applicant states that the entire delay between the date the claim for the benefit of the earlier application was due under paragraph (a)(5)(i) of 37 C.F.R. § 1.78 and the date this claim is filed was unintentional.
3. Applicant hereby submits with this Petition an executed Supplemental Combined Declaration and Power of Attorney and preliminary amendment with the correct provisional application numbers.

01/12/2005 BBONNER 00000001 131703 10723375
Sale Ref: 00000003 DAH: 131703 10723375
01 FC:1453 170.00 DA 1330.00 OP

4. The surcharge fee set forth in § 1.17(t), required by 37 C.F.R. 1.71 (a)(6)(ii), is paid as follows:

Authorization is hereby made to charge the amount to credit card as shown on the attached credit card information authorization form PTO-2038 in the amount of \$1,330.00. Any deficiency or overpayment should be charged or credited to deposit account number 13-1703.

Customer No. 20575

Respectfully submitted,

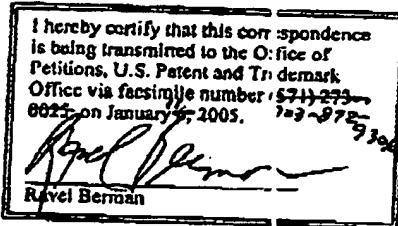
MARGER JOHNSON & McCOLLOM, P.C.



Alan T. McCollom

Reg. No. 28,881

MARGER JOHNSON & McCOLLOM, P.C.
1030 SW Morrison Street
Portland, OR 97205
503-222-3613



IN THE SPECIFICATION

Please replace the paragraph in the Preliminary Amendment filed on November 25, 2003 with the following paragraph. This paragraph should begin on page 1, line 6 of the specification:

This application claims priority from U.S. provisional application 60,439,084 entitled "System for Real-time Game Network Tracking", filed January 8, 2003, and U.S. provisional application 60/477,644 ~~60/477,664~~ entitled "Mobile Data Access," filed June 10, 2003. {{attorney docket number 4164-272},} the contents of both of which are expressly incorporated herein for all purposes.

UNITED STATES PATENT & TRADEMARK OFFICE
Washington, D.C. 20231

REQUEST FOR PATENT FEE REFUND

1 Date of Request: 5/26/05 2 Serial/Patent # 10/723,375

3 Please refund the following fee(s):	4 PAPER NUMBER	5 DATE FILED	6 AMOUNT
Filing			\$
Amendment			\$
Extension of Time			\$
Notice of Appeal/Appeal			\$
Petition		<u>1/11/05</u>	\$ 130
Issue			\$
Cert of Correction/Terminal Disc.			\$
Maintenance			\$
Assignment			\$
Other			\$

7 TOTAL AMOUNT OF REFUND \$ 130

8 TO BE REFUNDED BY:

Treasury Check

Credit Deposit A/C #:

9 13--1703

10 REASON:

Overpayment

Duplicate Payment

No Fee Due (Explanation):

11 REFUND REQUESTED BY:

TYPED/PRINTED NAME: WAN Laymen

TITLE: pet. Exam

SIGNATURE: Wan Laymen

PHONE: _____

OFFICE:

***** THIS SPACE RESERVED FOR FINANCE USE ONLY *****

APPROVED: Wan Laymen

DATE: 6/8/05

Instructions for completion of this form appear on the back. After completion, attach white and yellow copies to the official file and mail or hand-carry to:

Office of Finance
Refund Branch
Crystal Park One, Room 802B